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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/498,559 02/04/00 SACKINGER

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EXAMINER

MM91/0919

Docket Administrator (RM 3C-512)
Lucent Technologies Inc
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1 E.D.

ART UNIT

PAPER NUMBER

2816

DATE MAILED:

09/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/498,559

Applicant(s)

SACKINGER

Examiner

ANH VO

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 4, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☒ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

Art Unit: 2816

NON-FINAL REJECTION

The finality of the last office action is withdrawn. The allowability of claims 14-15 is withdrawn. A new ground of rejection is below:

Claims Rejection

Claim Rejections - 35 U.S.C. § 112

Claims 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 14, the recitation "the range" on line 3" lacks antecedent basis. The recitation "the range of voltages" is unclear, and as such indefinite. It is not understood what the voltages range of a power supply is since it is not clearly defined. The same is true for claim 16.

In claim 16, it is unclear how the "voltage" on line 3 can be generated since no means for performing the generating function is recited.

In claim 17, the recitation "negative" is confusing because the letter "N" in "NMOS" does not stand for "negative". In the art of semiconductor, the letter "N" or "P" is used to indicate the "type" of the semiconductor. The same is true for reciting "positive" in claim 18.

Art Unit: 2816

The remaining claims are dependent from the above claims and therefore also considered indefinite.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-19 are rejected under 35 U.S.C. 102 (e) as being anticipated by Vargha (US Pat. 6,069,516).

Figures 1 and 2A-2D of Vargha discloses a circuit comprising a transistor (12, 112) and a charge pump (10, 110).

Claims 16-19 are rejected under 35 U.S.C. 102 (b) as being anticipated by Kobayashi (US Pat. 5,821,825).

Figure 2 of Kobayashi discloses an active inductor (22) biased by the voltage divider (R3, R4) which provide a reference voltage between the voltage Vee and ground or beyond the Vee and ground (0 volt).

Art Unit: 2816

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-13 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Vargha (US Pat. 6,069,516) in view of Ko et al. (US Pat. 6,028,496).

Figures 1 and 2A-2D of Vargha disclose a circuit comprising all of the limitations of the claimed invention as discussed above but does not disclose a resistor. Figure 2 of Ko et al teaches a circuit comprising resistors (R2-R8) for reducing current to the transistors (MT1-MT4) in order to protect these transistors. It would have been obvious to a person having skill in the art at the time the invention was made to employ the resistor taught by Ko et al in the circuit of Vargha for the purpose of protecting the transistor.

Response to Applicant's Arguments

Applicant argues that the range of the voltage supplied by a power supply operating the integrated circuit is a phrase which refers to the limits of the set of voltages that power supply is supplying to the integrated circuit. Thus, the biasing voltage of Kobayashi is not beyond the range of voltage supplied by the power supply (ground and Vee). The arguments are not persuasive

Art Unit: 2816

because claims 14 and 16 do not clearly define what the voltages range of the power supply supplied to the integrated circuit is. Since the limitation "voltages range" supplied to the integrated circuit is not determined and unclear, this limitation is not given any patentable weight and the rejected claims remain readable on Figure 2 of Kobayashi.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner DINH LE whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DINH LE
Primary Examiner

September 15, 2001